

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 69 – HB 310**

April 11, 2019

**SUMMARY OF BILL:** Provides release eligibility to a person sentenced to imprisonment for life for first degree murder after 25 full calendar years if the person committed the murder when he or she was a minor and such offense occurred on or after July 1, 2019.

**ESTIMATED FISCAL IMPACT:**

**Decrease State Expenditures – \$69,500 Incarceration\***

Assumptions:

- Tennessee Code Annotated § 40-35-501 requires anyone convicted of first degree murder to serve no less than 85 percent of the sentence received. A person convicted of first degree murder and sentenced to imprisonment for life is eligible for parole, or release eligible, after the person serves 51 full calendar years ( $60 \text{ years} \times 85.0\% = 51$ ).
- The legislation provides release eligibility for any person convicted of first degree murder and sentenced to imprisonment for life after 25 full calendar years if the person was a minor when the person committed the offense and the offense occurred on or after July 1, 2019.
- Based on information provided by the Department of Correction, there has been an average of one first degree murder conviction of a minor each year over the last 10 years.
- This analysis estimates that the proposed legislation will result in one offender every 10 years being released 26 years ( $51 - 25$ ) earlier than the offender would be released under current law.
- According to the DOC, the average operating cost per offender per day for calendar year 2019 is \$73.18.
- The total recurring decrease in state incarceration expenditures associated with the proposed legislation is estimated to be \$69,495 ( $\$73.18 \times 26 \times 365.25 / 10$ ).

\*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj